

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 8 and 9 have been amended.

FINALITY OF OFFICE ACTION IMPROPER:

At item 9 of the Office Action, the Examiner states that the Applicant's previous amendment necessitated the new grounds of rejection, and therefore the action is made final. Applicants respectfully disagree.

Claim 1 was previously amended to overcome a rejection under §112. Claims 4 and 5 were amended into independent form. The rejections based upon Fulton and Suzuki were traversed based upon language in the claims as originally filed. Thus, these rejections were withdrawn based upon argument, and not claim amendments. Thus, the amendments could not have necessitated the new rejection, and withdrawal of the finality of the Office Action is requested.

REJECTIONS UNDER 35 U.S.C. §102:

Independent claim 1 recites said auxiliary teeth intervening adjacent ones of said coils. In contrast, the heat spikes 36 of Overton do not intervene adjacent windings 35. For example, the windings 35 are disposed radially inward from the narrow tip of the heat spikes 36. Overton, FIG. 1. There is no intervention at these points.

Independent claim 1 further recites each of the main teeth having a straight end and a constant diameter. In contrast, the teeth 32 of Overton, relied upon by the Examiner as corresponding to the claimed main teeth, have a relatively wider diameter at the ends thereof. Overton, FIG. 1.

Independent claims 4 and 5 are similarly patentably distinguishable from Overton. Ohto does not overcome these deficiencies, and is not relied upon by the Examiner to do so.

Independent claim 8 recites " wherein a length of said second tooth is less than lengths of the first teeth so that a cogging amount of the electric motor is a minimum amount." In contrast, FIG. 3 of Ohto illustrates that the minimum entire cogging thrust occurs when the Hd (auxiliary teeth length)/Ht (main teeth length) ratio is greater than 1. Independent claim 9 is similarly patentable over the cited references.

Accordingly, withdrawal of the rejections is requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the

application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 

Michael J. Badagliacca
Registration No. 39,099

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501